

HOUSE No. 2185

The Commonwealth of Massachusetts

PRESENTED BY:

Steven M. Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Ensuring Access to Life-Saving Colorectal Cancer Screenings .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Angelo J. Puppolo, Jr.	12th Hampden
Steven M. Walsh	11th Essex
Robert F. Fennell	10th Essex
Lida E. Harkins	13th Norfolk
Martha M. Walz	8th Suffolk
Cleon H. Turner	1st Barnstable
James Dwyer	30th Middlesex
Kay Khan	11th Middlesex
Jennifer M. Callahan	18th Worcester
Louis L. Kafka	8th Norfolk
Denise Provost	27th Middlesex
Richard J. Ross	9th Norfolk
Christine E. Canavan	10th Plymouth
Thomas M. McGee	Third Essex and Middlesex
James J. O'Day	14th Worcester District
Paul McMurtry	11th Norfolk
Joseph R. Driscoll, Jr.	5th Norfolk
John F. Quinn	9th Bristol
Bruce E. Tarr	First Essex and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT ENSURING ACCESS TO LIFE-SAVING COLORECTAL CANCER SCREENINGS .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 **SECTION 1.** Chapter 175 of the General Laws is hereby amended by inserting after section
2 110M the following section:-

3 Section 110N. Any policy, contract, agreement, plan or certificate of insurance issued, delivered or
4 renewed within the commonwealth shall cover and reimburse for all colorectal cancer examinations and
5 laboratory tests specified in current American Cancer Society (ACS) guidelines for colorectal cancer
6 screening of asymptomatic individuals. Coverage or benefits shall be provided for all such colorectal
7 screening examinations and tests that are administered at a frequency identified in the current ACS
8 guidelines for colorectal cancer. The coverage required under this section must meet the requirements set
9 forth in subsection (b).

10 (a) Benefits are provided under this section for a covered individual who is:

11 (1) At least fifty (50) years of age; or

12 (2) Less than fifty (50) years of age and at high risk for colorectal cancer according to
13 current colorectal cancer screening guidelines of the American Cancer Society;
14 (b) To encourage colorectal cancer screenings, patients and health care providers
15 must not be required to meet burdensome criteria or overcome significant
16 obstacles to secure such coverage. An individual shall not be required to pay an
17 additional deductible or coinsurance for testing that is greater than an annual
18 deductible or coinsurance established for similar benefits. If the program or
19 contract does not cover a similar benefit, a deductible or coinsurance may not be
20 set at a level that materially diminishes the value of the colorectal cancer benefit
21 required. Reimbursement to health care providers for colorectal cancer screenings
22 provided under this section shall be equal to or greater than reimbursement to
23 health care providers provided under Title XVII of the Social Security Act
24 (Medicare).

25 **SECTION 2.** Chapter 176A of the General Laws is hereby amended by inserting after section 8AA the
26 following section:-

27 Section 8BB. Any contract between a subscriber and the corporation under an individual or group
28 hospital service plan delivered or issued or renewed within the commonwealth shall provide for the
29 coverage of colorectal screening examinations and tests that are administered at a frequency identified
30 in the current American Cancer Society guidelines for colorectal cancer as defined in, and subject to
31 the requirements and limitations of, Chapter 175 Section 110N.

32 **SECTION 3.** Chapter 176B of the General Laws is hereby amended by inserting after section 4AA the
33 following section:-

34 Section 4BB. Any subscription certificate under an individual or group medical service agreement
35 delivered, issued or renewed within the commonwealth shall provide for the coverage of colorectal
36 screening examinations and tests that are administered at a frequency identified in the current
37 American Cancer Society guidelines for colorectal cancer as defined in, and subject to the
38 requirements and limitations of, Chapter 175 Section 110N.

39 **SECTION 4.** Chapter 176G of the General Laws is hereby amended by inserting after section 4S the
40 following section:-

41 Section 4T. Any individual or group health maintenance contract shall provide for the coverage of
42 colorectal screening examinations and tests that are administered at a frequency identified in the
43 current American Cancer Society guidelines for colorectal cancer as defined in, and subject to the
44 requirements and limitations of, Chapter 175 Section 110N.

45 **SECTION 5.** Chapter 32A of the General Laws is hereby amended by inserting after section 23 the
46 following section:-

47 Section 24. Any coverage offered by the commission to any active or retired employee of the
48 commonwealth who is insured under the group insurance commission shall provide for the coverage of
49 colorectal screening examinations and tests that are administered at a frequency identified in the current
50 American Cancer Society guidelines for colorectal cancer as defined in, and subject to the requirements
51 and limitations of, Chapter 175 Section 110N.